

REMARKS

Claims 1-5 are pending in this application. New claim 5 has been added. No new matter has been added by way of this amendment. Applicant respectfully requests reconsideration of the above-identified application, in view of the above the following remarks.

Claim Rejections – 35 U.S.C. § 102

Claims 1-3 were rejected under 35 U.S.C. § 102(b) as being anticipated by Beck, et al. (U.S. Pat. No. 4,628,881). Applicant respectfully traverses this rejection.

Independent claim 1 recites, *inter alia*, “A fuel injector...wherein there is provided in said fuel supply passage a throttle passage normally communicating with a fuel drain passage.” The Beck patent does not teach or suggest a fuel injector with a fuel drain passage that communicates with a fuel drain passage as recited in amended independent claim 1. The Beck patent discloses two check valves, 119 and 121 respectively, and a small piston 140. These elements are situated between a metering duct 118 and drain off line 120. However, the Beck patent does not disclose or suggest a throttle passage communicating with a fuel drain passage.

In contrast, independent claim 1 recites, “wherein there is provided in said fuel supply passage a throttle passage normally communicating with a fuel drain passage.” Applicant submits that that because the Beck patent does not disclose or suggest such a throttle passage, the Beck patent does not anticipate independent claim 1. Accordingly, independent claim 1 is patentably distinct from Beck. Furthermore, for at least this reason, claims 2-5, which are

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directly or indirectly dependent from independent claim 1 are also patentably distinct from the Beck patent. Therefore, Applicant requests withdrawal of this ground of rejection.

CONCLUSION

It is now believed that all pending claims are in condition for allowance. In view of the amendments and remarks, an early and favorable reconsideration is respectfully requested.

Respectfully submitted,

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